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# Brian Higgins

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## US Congress

November 23, 2004

Ms. Karen J. Balderama  
Senior Campaign Finance Analyst  
Reports Analysis Division  
Federal Election Commission  
Washington, DC 20463

Dear Ms. Balderama,

Thank you very much for your recent correspondence. We have taken steps to address each of the concerns you have identified. Here is a breakdown of the steps we have taken:

1. We contacted Oneida Concrete Products to determine if they are an unincorporated partnership, an unincorporated sole proprietorship, or a corporation. The account from which the contribution was drawn (\$60 on 9/1/04) was a corporate account, and we therefore recognize the illegality of the contribution. We have issued a refund, a copy of which is attached.
2. You indicated that you found that some of the contributions listed in our amended October Quarterly Report were listed as Primary Election contributions but were received after the Primary Election. The two contributions in question, as we understand it, are these: New York State Democratic Committee Federal Fund, 9/30/04, \$5,000; and A Lot of People for Dave Obey, 9/30/04, \$1000.

Our new campaign finance software makes "Primary" the default when entering a new contribution. In these two instances, the individual entering the data failed to change the "P" to a "C" and we failed to find the error in our troubleshooting. These two contributions were meant to be General Election contributions. We will amend our report

Brian Higgins for Congress, P.O. Box 28, Buffalo, NY 14220

Paid for by Brian Higgins for Congress